

REMARKS

Claims 1–44 are the claims of record of the application. Claims 38 and 39 have been allowed. Claims 1–8, 10–12, 15–17, 30–31, 40, 41 and 43 have been rejected and claims 9, 13, 14, 18–29, 32–37, 42 and 44 have been objected to and would be allowable if written in independent form.

Applicants recognize that the Examiner has discretion in considering a response after final rejection, and believe that the present response is sufficiently focused to be appropriate for entry. The remarks in this response amend the Application to bring it to a condition of allowance according to the Final Office Action. These amendments are not believed to require additional search or raise new issues. Entry is respectfully requested.

Applicants have amended the claims to cancel rejected claims 1–8, 10–12, 15–17, 30–31, 40, 41 and 43. Such amendment is being carried out without prejudice purely to speed up prosecution.

The Examiner has objected to claims 9 and 42 under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim.

Regarding claim 9, the Examiner asserts there is inconsistency and conflict between

- 1) “such that the gain settings of the pre-filter and first post filter variable gain elements do not require use of the digital output signal of the ADC” and
- 2) “wherein the digital signals from the ADC provide a measure of the signal strength postdigitization to the AGC controller” and “wherein the AGC controller is to set the gains of the pre-filter section, the first post-filter section and the second post filter section according to the pre-filter and post-filter signal strength measures and the postdigitization signal strength measure.”

Note that claim 1 has been cancelled. Applicants respectively disagree that there is an inconsistency in claim 9. Claim 9 deals with multiple stages. The first stage sets the gain settings of the pre-filter and first post filter variable gain elements. This does not use the ADC. Other stage or stages include setting the gain setting of the second post filter section, and any such stage uses the ADC. There is no conflict between 1) and 2) above.

Regarding claim 42, the Examiner asserts a similar inconsistency between

- 1) “such that the gain settings of the pre-filter and first post filter variable gain elements do not require use of the digital output signal of the ADC” and
- 2) “such that after the first stage, the AGC controller can set the gain of the second post filter section according to at least the post-digitization signal strength measure.”

Again, Applicants respectively disagree that there is an inconsistency; there is no inconsistency. Claim 42 also deals with multiple stages. 2) states that only *after* the first stage can the AGC controller set the gain of the *second* post filter section, and this uses the ADC; 1) deals with what happens during the first stage, wherein the ADC is not used.

Therefore the objections to claims 9 and 42 are believed overcome. Neither of these claims was rejected. Furthermore, the Applicants have amended each of these claims to independent form by incorporating the limitations of the base claims and any intervening claims. Therefore these claims are now in condition for allowance.

Claims 13, 14, 18–29, 32–37 and 44 were objected to as being dependent upon a rejected base claim, but were deemed allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The present amendment so amends claims 13, 14, 18–29, 32–37 and 44 so that these claims are now in condition for allowance.

Claims 38 and 39 are allowed.

For these reasons, and in view of the above amendment, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Conclusion

The Applicants believe all of Examiner's objections have been overcome with respect to all remaining claims (as amended), and that the remaining claims are allowable. Action to that end is respectfully requested.

If the Examiner has any questions or comments that would advance the prosecution and allowance of this application, an email message to the undersigned at dov@inventek.com, or a telephone call to the undersigned at +1-510-547-3378 is requested.

Respectfully Submitted,

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Date

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